UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at WINCHESTER

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)	Case No. 4:10-cv-14
)	T. 1. M. 11.
)	Judge Mattice
)	Magistrate Judge Carter
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ORDER

On August 28, 2012, Magistrate Judge William B. Carter filed his Report and Recommendation (Doc. 42) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Carter recommended that Plaintiffs' Motion for Partial Summary Judgment (Doc. 24) be denied and that Defendants' Motion for Summary Judgment (Doc. 26) be granted. Magistrate Judge Carter further recommended that Plaintiffs' claims under 42 U.S.C. § 1983 be dismissed with prejudice and that Plaintiffs' state law claims, raised pursuant to the Tennessee Open Meetings Act and the Tennessee Public Protection Act, be dismissed without prejudice.

Plaintiffs have filed objections to the Magistrate Judge's Report and Recommendation. The Court has reviewed the Report and Recommendation, as well as Plaintiffs' objections. The Court finds that Magistrate Judge Carter's Report and Recommendation fully addressed Plaintiffs' objections. The Court agrees with

Magistrate Judge Carter's well-reasoned conclusions.¹ Additionally, because the parties

are not diverse and because the Court will dismiss Plaintiffs' federal claims, the Court

also agrees with Magistrate Judge Carter's conclusion that Plaintiffs' state law claims

should be dismissed without prejudice.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Carter's

findings of fact and conclusions of law. Plaintiffs' Motion for Partial Summary

Judgment (Doc. 24) is **DENIED**, and Defendants' Motion for Summary Judgment

(Doc. 26) is **GRANTED**. Plaintiffs' federal claims are hereby **DISMISSED WITH**

PREJUDICE. The Court declines to exercise supplemental jurisdiction over Plaintiffs'

state law claims, and those claims are hereby **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this 10th day of September, 2012.

/s/ Harry S. Mattice, Jr. HARRY S. MATTICE, JR.

UNITED STATES DISTRICT JUDGE

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¹ In fact, as Magistrate Judge Carter correctly noted, the Court has previously addressed the issue presented by Plaintiffs – namely, whether the City's Police Manual and Personnel Policy create a property interest in continued employment for the City's police officers – and concluded that no such property interest exists. *See Madden v. City of Dechard*, No. 4:10-cv-13 (E.D. Tenn., Mar. 27, 2012).